

Agreement brings steadier supply of delta water for cities, farmers

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SACRAMENTO — Federal and state officials Thursday signed a historic cease-fire in the long war over water quality, but another skirmish may be waiting next year.

The agreement, hammered out in marathon negotiation sessions that ended Wednesday night, provides a more stable water supply from the Sacramento-San Joaquin River Delta for farms and cities while protecting the vast, sensitive Northern California estuary.

"Peace has broken out amid the water wars," Gov. Wilson said at a Capitol press conference. "We don't pretend this is the final answer for California water policy. There will be some major sledding ahead."

Skeptics sounded a note of caution. While the accord gives a framework of agreement, the thorny questions of whose water and how much are yet to come.

Those answers must be secured in the next three years once testimony and dueling science is heard at public hearings set to begin in March by the State Water

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Resources Control Board. As the water rights held by farmers, cities and other water users come up for grabs, Thursday's cease-fire will be tested.

For the delta estuary, which provides about two-thirds of the state's drinking water, the agreement means 1.1 million acre-feet of fresh river water will flow through the maze of sloughs and canals about 140 miles north of Fresno in dry years to help keep salty ocean tides from destroying habitat for fish and wildlife.

"This is a three-year trial marriage," said David Fullerton of the Natural Heritage Institute, who voiced many of the environmentalists' concerns during the deliberations.

Initially, the burden of providing water for the new agreement falls squarely on contractors with the federal Central Valley Project and State Water Project.

The pact limits water diversions from the delta, ensuring at least 450,000 acre-feet are devoted to species and habitat protections in years with normal rainfall and increasing to 1.1 million acre-feet in dry years.

"It's not an end to the regulatory drought," said Dan Nelson of the San Luis Delta-Mendota Water Authority, representing agricultural and urban districts on the west side of the San Joaquin Valley. "But it's a significant beginning."

Better off

For Valley farmers on the massive federal Central Valley Project, the agreement will mean 65 percent to 70 percent of their historic allotments in average rainfall years, Nelson said. Last year, the same contractors received about 40 percent.

"We'll be much better off than we have been in the last several years. There will be less water, but it will be firmer," added Dave Schuster, who represents two Kern County water districts where nearly 10 percent, or 100,000 acres, were taken out of production in 1993.

Interior Secretary Bruce Babbitt said the federal government would buy additional water if the flow is not enough to protect the winter-run salmon and the delta smelt, two fish listed under the federal Endangered Species Act, or if additional species are listed, as may be the case with the Sacramento splittail.

"A deal is a deal. If more water was necessary, the key to finding water is money. Everything is available for a price," he said.

The concession from the federal government was just one of many made at a negotiating table that included agriculture, urban and environmental interests.

'Intense issues'

"These were intense, major issues we worked on," said Timothy H. Quinn, deputy general manager of the Metropolitan Water District of Southern California, which serves 16 million customers. "Ultimately, the deadline of Dec. 15 is what made it work."

The Dec. 15 deadline was imposed in the settlement of an environmental lawsuit brought by the Sierra Club, the Environmental Defense Fund and others in a coalition over delta water standards.

"We have a plan that meets the needs of the families, the farmers and the fish," said U.S. Environmental Protection Agency Administrator Carol Browner.

Year after year, the water flowing to California farms and cities was drastically curtailed when protected fish — winter-run chinook salmon and the delta smelt — were ground up by the powerful delta pumps that send the water south.

"We were brought together by dispute — we had to get out of the [Endangered Species Act] box we were in. Basically we put 1 million acre-feet on the table. In return, you cannot turn on and off the pumps every time you find a fish," said Steve Hall, executive director, Association of California Water Agencies.

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Until the state board comes up with its implementation plan, the estuary will be governed by the Endangered Species Act protections for the imperiled fish.

Control the flow

Existing protections will continue to control the flow of the delta if federal wildlife officials detect large numbers of protected fish at the pumps. They said the modifications of the new agreement will allow more flexibility and better monitoring.

The water users have promised to make available \$10 million for each of the next three years to fund monitoring of the species that live in the estuary.

State Sen. Tom Hayden warned environmentalists to be skeptical about the accord. The Santa Monica Democrat announced that the Senate Natural Resources and Wildlife Committee, which he chairs, would hold hearings on the environmental adequacy of the pact in January.